

Litigation Meeting Agenda



Committee Chair: David Imamura

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
WestchesterLegislatorsNY.gov

Monday, May 18, 2026

10:00 AM

Committee Room

Joint w/B&A

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, 8th Floor, White Plains, New York, 10601, and livestreamed via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view the meeting and its video recording online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/>. This website also provides the links to documents to be discussed at a given meeting.

MINUTES APPROVAL

Monday, April 13, 2026 at 10:00 a.m.

I. ITEMS FOR DISCUSSION

1. [2026-229](#) ACT - Lawsuit Settlement of Gasparre v. County of Westchester

AN ACT authorizing the County Attorney to settle the lawsuit of Eugene and Sarah Elizabeth Gasparre v. County of Westchester in the amount of FOUR HUNDRED THOUSAND (\$400,000) DOLLARS, inclusive of attorney's fees.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LITIGATION

Guests: Law Dept.: Assistant Chief Deputy County Attorney Justin Adin and Deputy County Attorney John Fico

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

TRANSMITTAL MEMO

To: The Honorable Members of the Board of Legislators

From: John M. Nonna, Westchester County Attorney

Date: April 28, 2026

Re: Request for authorization to settle the lawsuit of *Eugene and Sarah Elizabeth Gasparre v. County Of Westchester*, in Supreme Court Westchester County, Index No. 64094/2014, for the amount of \$400,000.00, inclusive of attorney's fees.

Attached for your consideration is an Act which if enacted by your Board would authorize the settlement of the lawsuit of *Eugene and Sarah Elizabeth Gasparre v. County Of Westchester*, in Supreme Court Westchester County, Index No. 64094/2014, for the amount of \$400,000.00, inclusive of attorney's fees.

This is a claim for physical injuries stemming from exposure to biohazardous material while plaintiff Eugene Gasparre was working at the County's New Rochelle Wastewater Treatment plant at 1 LeFevres Lane, New Rochelle. At the time of the exposure, Gasparre was employed as a laborer by Yonkers Contracting Co., Inc. and working at the facility in connection with a capital improvement project. Gasparre claimed that he was exposed to biohazardous substances after handling wood planking stored near sewage waste bins that become contaminated as a result of raw sewage draining from those bins. Gasparre has alleged permanent gastrointestinal injuries as a result of this exposure. Gasparre brought his claims under the strict liability provisions of the New York State Labor Law.

The Law Department believes a settlement of plaintiffs' claims would be in the best interests of the County of Westchester. Under the factual and legal circumstances of this case, I believe the settlement is reasonable and recommend its approval.

Therefore, I am respectfully requesting that this Honorable Board pass the accompanying Act authorizing the settlement of these claims.

FISCAL IMPACT STATEMENT

SUBJECT: _____	NO FISCAL IMPACT PROJECTED	
OPERATING BUDGET IMPACT		
SECTION A - FUND		
GENERAL FUND	AIRPORT FUND	SPECIAL DISTRICTS FUND
SECTION B - EXPENSES AND REVENUES		
Total Current Year Expense	_____	
Total Current Year Revenue	_____	
Source of Funds (check one):	Current Appropriations	Transfer of Existing
	Additional Appropriations	Appropriations Other (explain)
Identify Accounts:	_____	

Potential Related Operating Budget Expenses:	Annual Amount	_____
Describe:	_____	

Potential Related Operating Budget Revenues:	Annual Amount	_____
Describe:	_____	

Anticipated Savings to County and/or Impact on Department Operations:		
Current Year:	_____	

Next Four Years:	_____	

Prepared by:	_____	Approved by: _____
Title:	_____	Budget Director
Department:	_____	Date: _____
Date:	_____	

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act which, if enacted by your Board, would authorize the settlement of the lawsuit of *Eugene and Sarah Elizabeth Gasparre v. County Of Westchester*, in Supreme Court Westchester County, Index No. 64094/2014, for the amount of \$400,000.00, inclusive of attorney's fees.

Your Committee is informed, this matter arises from plaintiff Eugene Gasparre's ("Gasparre") alleged exposure to biohazardous material while he was working at the County's New Rochelle Wastewater Treatment plant ("NRWTP") located at 1 LeFevres Lane, New Rochelle. At the time of the exposure, Gasparre was employed as a laborer by Yonkers Contracting Co., Inc. and working at the facility in connection with a capital improvement project. Gasparre claimed that he was exposed to biohazardous substances after handling wood planking stored near sewage waste bins that become contaminated as a result of raw sewage draining from those bins. Gasparre has alleged permanent gastrointestinal injuries as a result of this exposure. Gasparre brought his claims under the strict liability provisions of the New York State Labor Law.

Your Committee is further informed that this proposed settlement takes into consideration the factual allegations, the nature of plaintiffs' injuries, and the County's potential liability under the New York State Labor Law to maintain the NRWTP in a safe manner for workers on the premises. The County Attorney's Office has advised that, if this matter were to proceed to trial and the County found liable for plaintiffs' injuries, it could expose the County to a substantial monetary verdict.

ACT NO. -2026

AN ACT authorizing the County Attorney to settle the lawsuit of *Eugene and Sarah Elizabeth Gasparre v. County Of Westchester*, in Supreme Court Westchester County, Index No. 64094/2014, for the amount of \$400,000.00, inclusive of attorney's fees.

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County Attorney is authorized to settle the lawsuit *Eugene and Sarah Elizabeth Gasparre v. County Of Westchester*, in Supreme Court Westchester County, Index No. 64094/2014, for the amount of \$400,000.00, inclusive of attorney's fees.

Section 2. The County Attorney or his designee is hereby authorized and empowered to execute and deliver all documents and take such action as the County Attorney deems necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.